

Applicant : Eric J. Baculy
Appln. No. : 10/524,575
Page : 6

REMARKS

The specification has been amended to correct a minor error. Claims 3, 5 and 8 have been amended. Claims 3 and 5 have been amended to correct minor typographical errors. Claim 8 has been amended to more particularly point out and distinctly claim the subject matter which Applicant regards as the invention, and new claim 9 has been added to encompass patentable subject matter supported in the original specification but not previously claimed. Accordingly, upon entry of the above amendments, claims 1-9 will be pending and under consideration in the application.

The Examiner's comments and suggestions regarding the specification, claims and prior art are appreciated. It is believed that the above amendments have placed the application in condition for allowance.

Objection to Specification

The Examiner noted that annular flange 18 was incorrectly identified as "annular flange 13" at page 4, line 25 of the specification. This error has been corrected by amendment.

Rejection Under 35 U.S.C. § 112

Claim 8 has been rejected as being indefinite because claim 1 does not provide a suitable foundation for claiming "one additional circular aperture."

It is believed that this rejection has been overcome by amending claim 8 so that it depends from claim 2, and by deleting the requirement that the additional aperture is circular. As will be appreciated by those of ordinary skill in the art, an additional aperture of generally any shape will achieve the desired function of preventing relative movement of the stabilizing washer with respect to the tool implement when the fastener is tightened.

Rejection Under 35 U.S.C. § 102

Claims 1-3 and 5-8 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Wiley (U.S. Patent No. 4,787,147).

Applicant : Eric J. Baculy
Appln. No. : 10/524,575
Page : 7

While the applied Wiley patent discloses subject matter related to the claimed invention, it does not anticipate the pending claims. Anticipation under 35 U.S.C. § 102 requires that the prior art disclose each and every feature of the invention as arranged in the claims. Wiley does not teach or suggest a tool comprising a shaft having a flange. Each and every disclosed embodiment of the Wiley patent employs a flangeless arbor 22 which does not anticipate the claimed invention. Accordingly, withdrawal of the rejection is appropriate.

Claims 1-4 and 6-8 stand rejected under 35 U.S.C. § 102(b) as being anticipated Tygh, Jr. (U.S. Patent No. 3,564,824). Again, while the applied Tygh, Jr. patent discloses subject matter related to the claimed invention, it does not anticipate the claims. Specifically, Tygh does not teach or suggest a tool having a tool implement and stabilizing washers that “are configured to allow removal of the tool implement without removing the fastener from the shaft.” It is recognized that the Examiner argues that the Tygh blade 10 is capable of passing through the hole of the blade as shown in Fig. 5 when ears 40 of adaptor 34 are aligned with notches 28 in circular hole 20 of blade 10. However, in each of the embodiments, Tygh discloses the requirement for a pressure washer (such as a pressure washer 52 of Fig. 4, pressure washer 60 of Fig. 5, and pressure washer 78 of Fig. 6) which would prevent removal of blade 10 from shaft 50 unless fastener 54, 80 or 62 is completely removed from the shaft. It is believed that upon closer inspection of the Tygh, Jr. patent, the Examiner will agree that Tygh, Jr. does not anticipate the claimed invention.

New Claim

New claim 9 identifies certain novel features of the invention with greater particularity. More specifically, claim 9 identifies the stabilizing washer as being a “one-piece” article. This is profoundly different from the extremely complicated, multiple-component arrangement of Wiley, which includes a mechanism 10 having a main body 30, a plurality of coil springs 90, movable arcuate segments 32 and 34, and a spiral ring 54 for holding the arrangement together. This extremely complex, multiple-component arrangement, which includes movable parts, does not provide any apparent reason for using a one-piece stabilizing washer, and does not predict the

Applicant : Eric J. Baculy
Appln. No. : 10/524,575
Page : 8

desirability of a one-piece stabilizing washer as claimed. In addition, claim 9 requires that the tool implement define an aperture having a central portion and a plurality of arms extending from the central portion to allow the stabilizing washer and threaded fastener to pass through the aperture when the stabilizing washer is in at least one orientation with respect to the tool implement, and to facilitate engagement of the stabilizing washer with the tool implement when the stabilizing washer is in at least a second orientation relative to the tool implement. The claimed invention provides a simplified structure whereby a tool implement may be securely retained on a shaft, post or handle and removed from the shaft, post or handle, as desired, without removing the threaded fastener. Such arrangement is not suggested or predicted by the prior art.

Support for new claim 9 can be found in the specification at page 4, line 23 through page 5, line 11, and in Figs. 1-3 of the specification. More specifically, with respect to the "one-piece" structure of the stabilizing washer, the specification states that stabilizing washer 24 includes a central hub portion 26 and a plurality of projecting arms 27 that are integral with and rigidly connected to the central hub portion (page 4, last line through page 5, line 2). Support for the tool implement including an aperture having a central portion and a plurality of arms extending from the central portion can be found at page 5, lines 3-6.

CONCLUSION

In view of the above amendments and remarks, it is respectfully submitted that the application is in condition for allowance and Notice of the same is earnestly solicited.

Respectfully submitted,

August 10, 2007
Date

/Gunther J. Evanina/
Gunther J. Evanina, Registration No. 35 502
Price, Heneveld, Cooper, DeWitt & Litton, LLP
695 Kenmoor, S.E.
Post Office Box 2567
Grand Rapids, Michigan 49501
(616) 949-9610

GJE/drs/dac